

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

VIENGKHAM VILAISANE,)	
)	
Petitioner,)	
)	
vs.)	CIVIL NO. 10-cv-065-DRH
)	
UNITED STATES OF AMERICA)	
)	
Respondent.)	

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

Petitioner Viengkham Vilaisane filed this action pursuant to 28 U.S.C. § 2241 to challenge a detainer filed against him by the Bureau of Immigration and Customs (“ICE”). Vilaisane, a native of Laos, states that he is 32 years old and has lived in the United States since he was 9 years old. He asserts that the detainer is futile because Laos is a Communist country, and the United States would not deport him to a Communist nation. He further alleges that the detainer has a strong detrimental affect on his prison security classification, and it prevents him from participating in certain beneficial programs. Vilaisane asks the Court to compel the ICE to remove this detainer.

IT IS HEREBY ORDERED that Respondent shall, within twenty-three (23) days of receipt of this application for Writ of Habeas Corpus, answer and show cause why the writ should not issue. Service upon the United States Attorney for the Southern District of Illinois, 750 Missouri Avenue, East St. Louis, Illinois, shall constitute sufficient service.

IT IS FURTHER ORDERED that pursuant to Local Rule 72.1(a)(2), this cause is referred

to a United States Magistrate Judge for further pre-trial proceedings.

IT IS FURTHER ORDERED that this entire matter be referred to a United States Magistrate Judge for disposition, as contemplated by Local Rule 72.2(b)(2) and 28 U.S.C. § 636(c), *should all the parties consent to such a referral.*

Vilaisane is **ADVISED** of his continuing obligation to keep the Clerk and each opposing party informed of any change in his whereabouts during the pendency of this action. This notification shall be done in writing and not later than seven (7) days after a transfer or other change in address occurs. Failure to provide such notice may result in dismissal of this action. *See* FED.R.CIV.P. 41(b).

IT IS SO ORDERED.

DATED: August 9, 2010.

/s/ David R Herndon
CHIEF JUDGE
UNITED STATES DISTRICT COURT